## UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA WESTERN DIVISION

JUSTIN GABRIEL,	)	Civil No. 05-5024
Plaintiff,	)	
,	)	
Vs.	)	STIPULATION
	)	FOR DISMISSAL
FARMER'S ALLIANCE.	)	
	)	
Defendant.	),	
	)	

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, Justin Gabriel, and Defendant, Farmer's Alliance that the above-entitled action against said Defendant may be dismissed upon its merits, with prejudice and without costs to any party, and that an Order of Dismissal may be entered without further notice to any party.

Dated this  $24^{1/2}$  day of April, 2006.

JOHNSON EIESLAND LAW FIRM, LLP

By:

Aaron D. Eiesland Attorneys for Plaintiff P.O. Box 6900

Rapid City, SD 57709-6900

(605) 348-7300

Dated this  $25^{+1}$  day of April, 2006.

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS, L.L.P.

By:

Terry G. Westergaard

Attorneys for Defendant

333 West Boulevard, Suite 400; P.O. Box 2670

Rapid City, SD 57709-2670

(605) 343-1040